



# ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

Central Head Quarters [ Regd. No. T 1833/09 ]

Identified & Registered under 'Pensioners Portal'

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To

Secretary Telecom  
Department of Telecommunications  
Sanchar Bhavan, New Delhi

Respected Sir,

Sub: Pension Revision for absorbed BSNL/MTNL pensioners –  
Inclusion in Terms of Reference of 8<sup>th</sup> CPC – Request for positive action

Our retirement benefits including pension are paid by the Government of India under Rule 37-A of CCS (Pension) Rules, 1972, effectively making us Central Government pensioners in terms of funding and administrative control. Financial viability of BSNL/MTNL has nothing to do with payment of pension and these two CPSEs have paid pension contribution at the maximum of the pay-scale to DoT. 100% liability of paying pension and family pension lies with the Gol, as per Cabinet decision conveyed in DoT OM dated 20/7/2016. This is unique only for us among those who retired from CPSEs. Most of the recommendations of 6<sup>th</sup> CPC (after getting clarification from DoP&PW, the nodal agency) were implemented to us.

However, our pension was not revised as per the recommendations of the 6<sup>th</sup> CPC because there was no specific recommendation. It was because our pension revision was not included in ToR of 6<sup>th</sup> CPC.

BSNL revised the pay of its employees from 1/1/2007 on the basis of 2<sup>nd</sup> PRC recommendations. This created an anomaly in pension between pre-2007 and post-2007 retirees. To undo this anomaly DoT moved a Cabinet Note, after its approval, DoT issued order on 15/3/2011. Accordingly pension was revised from 1/1/2007 for pre-2007 retirees.

After the appointment of 7<sup>th</sup> CPC, our association took efforts for inclusion of our pension revision in its ToR; we submitted a memorandum and tendered oral evidence also. 7<sup>th</sup> CPC Chairman Justice A K Mathur, during the course of oral evidence, made a comment that "there is a prima-facie" in our demand. 7<sup>th</sup> CPC referred the matter to DoT in January 2015 but DoT took nearly 8 months and sent the reply only in August 2015. It was too late because by the time 7<sup>th</sup> CPC almost finalized their recommendations.

DoT wrote a letter to DPE in December 2015 vide F.No.47-63/2015-Pen(T) for inclusion of pension revision of BSNL/MTNL absorbees in 3<sup>rd</sup> PRC but DPE did not agree. DoP&PW also requested DPE for issuing guidelines for pension revision of BSNL/MTNL retirees but it also did not succeed. As such there is no benchmark/guidelines for pension revision for BSNL/MTNL absorbees.

In a landmark judgment dated 20-09-2023, the Principal Bench, Central Administrative Tribunal (PB CAT), Delhi, ruled that pension revision for BSNL/MTNL absorbed pensioners must be at par with Central Govt. pensioners and directed to implement it strictly in accordance with rules.

We highlight the following excerpts from the judgment:

- Para 22: *"It is undisputed that at the time of absorption in BSNL and MTNL, the erstwhile DoT employees were assured that their service conditions, including pension, would remain as per Central Government rules. The Central Pay Commission recommendations, as accepted by the government, have been consistently applied to them."*
- Para 28: *"The benefits of revision of pension and family pension as notified by the Central Government on the recommendations of the Pay Commission shall be extended to the applicants, analogous to Central Government pensioners."*

DoT has challenged the above judgement of PB, CAT before Hon Delhi High Court through a writ petition which is pending.

The Government has announced the appointment of 8<sup>th</sup> CPC and its Terms of Reference is under consideration. At this juncture, it is imperative that pension revision for BSNL/MTNL absorbed pensioners be explicitly included in its Terms of Reference (ToR) to guarantee equitable and uniform revision in line with other Central Government pensioners. We request the Department of Telecommunications to take necessary initiative for ensuring that the structure of pension and retirement benefits for employees receiving pension on IDA from Central Civil Estimates—covered under the CCS (Pension) Rules, 2021—is duly included in the 8<sup>th</sup> CPC ToR. This will ensure a permanent solution.

A favorable recommendation from the DoT will significantly help for inclusion. We earnestly request you, sir, to take immediate steps to ensure that pension revision for BSNL/MTNL absorbed pensioners is incorporated into the ToR of the 8th CPC.

Yours faithfully,



(V Vara Prasad)  
General Secretary.